



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: LAYZELL, D.B., *et al.*  
Serial Number: 10/040,469  
Filed: January 9, 2002  
Group Art Unit: 3643  
Title: Methods for Enhancing Plant Growth Using  
Hydrogen Gas  
Examiner: Gellner, J.L.  
Agent Ref. No.: 1998-016-08US

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GROUP 3600

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir,

AMENDMENT and RESPONSE TO RESTRICTION REQUIREMENT

This is responsive to the Office Action (for restriction/election) dated October 2, 2002. A Petition for Extension of Time of one month and Fee Transmittal are attached hereto. Please amend the application as follows:

IN THE CLAIMS:

19. (Amended) The method of claim 1, wherein said exposure of soil to H<sub>2</sub> enhances the ability of soil microorganisms to oxidize H<sub>2</sub>; and wherein said enhanced ability of the soil microorganisms potentiates enhanced growth or yield of a plant growing in said soil.

REMARKS

Applicants thank the Examiner for the cordial telephone conversation of November 26, 2002, in which the Preliminary Amendment filed on January 9, 2002 was discussed. In that Amendment, claim 9 was amended and new claims 24 and 25 were entered. It was agreed that claims 24 and 25 should be included in Group I of the Restriction Requirement. Thus, the Restriction Requirement sets forth three claim groups, as follows:

Group I. Claims 1 to 18, 24, and 25, drawn to a method of growing plants in soil